

AMENDMENT UNDER 37 C.F.R. § 1.312

Serial Number: 10/602,323

Filing Date: June 24, 2003

Title: LANTHANIDE OXIDE / HAFNIUM OXIDE DIELECTRIC LAYERS

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Dkt: 1303.101US1

REMARKS

This responds to the Notice of Allowance and Notice of Allowability mailed December 1, 2005.

No claims are amended, no claims are canceled, and no claims are added; as a result, claims 1-41 and 69-72 are now pending in this application. Applicant respectfully requests reconsideration of the above-identified application in view of the remarks that follow.

Allowed Subject Matter

In the abovementioned Notice of Allowance and Notice of Allowability, claims 1-15 and 69-72 were indicated as allowed. In an Examiner's amendment, claims 16-41 were cancelled without consulting Applicant's representative. Applicant objects to the cancellation of claims 16-41.

Withdrawn independent claims 20, 27, and 34 include all the elements of allowed independent claim 1, and withdrawn independent claim 16 includes all the elements of allowed independent claim 11. As noted in the response, mailed 23 August 2004, to the Restriction Requirement and in the response, mailed 6 September 2005, to an Office Action, Applicant submits that claims 1 and 69-72 link the withdrawn independent claims 16, 20, 27, and 34 and the claims that depend from these claims to claim 1. With the allowance of independent claims 1 and 11, Applicant respectfully requests the rejoinder and allowance of claims 16-41. *See M.P.E.P. 809 and M.P.E.P. 821.04(a).*

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Conclusion

It is respectfully submitted that these changes do not introduce new matter, and the claims are allowable without further search or consideration. Therefore, entry is appropriate under Rule 312, and is respectfully requested.

Respectfully submitted,

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By their Representatives,

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I hereby certify that this paper is being transmitted by facsimile to the U.S. Patent and Trademark Office on the date shown below.

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